IN THE UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT

Keith Purvis,)	
Petitioner,)	No. 19-1005, consolidated with Case No. 19-1003
v.)	
National Labor Relations Board,)	
Respondent.) _)	

UNDERLYING DECISIONS FROM WHICH THE PETITION ARISES

Petitioner Keith Purvis has attached as Exhibit A and B a copy of the two unpublished Decision and Orders of Respondent National Labor Relations Board, from which his Petition for Review arises. These unpublished orders are included in addition to the filings by Petitioner Leggett & Platt, Inc. in consolidated case

No. 19-1003. Respectfully Submitted,

Date: February 19, 2019 By: /s/ Aaron B. Solem

Aaron B. Solem
Glenn M. Taubman
c/o National Right to Work Legal
Defense Foundation, Inc.

8001 Braddock Road, Suite 600 Springfield, VA 22160

Tel: 703-321-8510 Fax: 703-321-9319 abs@nrtw.org gmt@nrtw.org

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Underlying Decisions From Which the Petition Arises was filed via the Court's ECF system and that the following parties were either served via the Court's CM/ECF system and by U.S. Mail:

David Habenstreit
Elizabeth Heaney
Barbra Sheehy
National Labor Relations Board
1015 Half Street, SE
appellatecourt@nlrb.gov
Elizabeth.heaney@nlrb.gov
Barbara.sheehy@nlrb.gov

A. John Harper, Art Carter, Littler Mendelson, P.C. 1301 McKinney Street, Suite 1900 Houston, TX 77002 AJHarper@littler.com ATCarter@littler.com

William Haller
Counsel for the Union
International Association of Machinists
9000 Machinists Place
Upper Marlboro, MD 20772-2687
whaller@iamaw.org

Date: February 19, 2019 By: <u>/s/ Aaron B. Solem</u>

Aaron B. Solem

EXHIBIT A

UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

LEGGETT & PLATT, INC.

and Cases 09-CA-194057

09-CA-196426 09-CA-196608

INTERNATIONAL ASSOCIATION OF MACHINISTS AND AEROSPACE WORKERS (IAM), AFL-CIO

ORDER

Assuming that the Proposed-Intervenor's Exceptions 2 through 5 constitute a timely appeal from a ruling of an administrative law judge under Section 102.26 of the Board's Rules and Regulations, we deny that appeal on the merits. We find that the judge did not act arbitrarily or capriciously or otherwise abuse his discretion in denying the Proposed-Intervenor's motion to intervene. See Veritas Health Services, Inc., 363 NLRB No. 108, slip op. at 1 fn.1 (2016); Latino Express, Inc., 360 NLRB 911, 911 fn.2 (2014).

IT IS ORDERED that the Proposed-Intervenor's appeal from the judge's adverse ruling with regard to intervention is denied.

Dated, Washington, D.C., January 23, 2018.

MARVIN E. KAPLAN, CHAIRMAN

MARK GASTON PEARCE, MEMBER

LAUREN McFERRAN, MEMBER

_

¹ We are not persuaded by the Proposed-Intervenor's arguments that the Due Process Clause of the Fifth Amendment, and Rule 24(a) of the Federal Rules of Civil Procedure, require reversal of the administrative law judge's ruling.

EXHIBIT B



United States Government

NATIONAL LABOR RELATIONS BOARD 1015 HALF STREET, SE WASHINGTON DC 20570

January 23, 2018

Re: Leggett & Platt, Inc.

Cases 09-CA-194057 et al.

ORDER

The General Counsel's Motion to Strike Proposed-Intervenor's Exceptions to the Administrative Law Judge's Decision and Brief In Support Thereof is granted insofar as the exceptions and supporting brief address matters beyond the issue of intervention. See NLRB Rules and Regulations, Sections 102.1(h) and 102.46(a).

By direction of the Board:

/s/ Farah Z. Qureshi Associate Executive Secretary